

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

No. 15-465V

Filed: July 29, 2016

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**UNPUBLISHED**

DIMA SCHLOSS, as Next Friend of N.S., \*  
a minor, \*

Petitioner, \*

Special Master Hamilton-Fieldman

v. \*

Attorneys' Fees and Costs;  
Reasonable Amount Requested  
to which Respondent Does Not  
Object.

SECRETARY OF HEALTH \*  
AND HUMAN SERVICES, \*

Respondent. \*

\*\*\*\*\*

Scott W. Rooney, Nemes Rooney, P.C., Farmington Hills, MI, for Petitioner

Ryan Daniel Pyles, United States Department of Justice, Washington, D.C., for Respondent.

### **DECISION**<sup>1</sup>

On May 7, 2015, Dima Schloss ("Petitioner"), on behalf of her minor child, N.S., filed a petition pursuant to the National Vaccine Injury Compensation Program.<sup>2</sup> Petitioner alleged that N.S. developed juvenile idiopathic arthritis ("JIA") as a result of receiving the measles-mumps-rubella, varicella, and pneumococcal vaccines. On June 1, 2016, the undersigned issued a

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<sup>1</sup> Because this decision contains a reasoned explanation for the undersigned's action in this case, the undersigned intends to post this ruling on the website of the United States Court of Federal Claims, in accordance with the purposes espoused in the E-Government Act of 2002. See 44 U.S.C. § 3501 (2012). Each party has 14 days within which to request redaction "of any information furnished by that party: (1) that is a trade secret or commercial or financial in substance and is privileged or confidential; or (2) that includes medical files or similar files, the disclosure of which would constitute a clearly unwarranted invasion of privacy." Vaccine Rule 18(b).

<sup>2</sup> The National Vaccine Injury Compensation Program is set forth in Part 2 of the National Childhood Vaccine Injury Act of 1986, 42 U.S.C. §§ 300aa-1 to -34 (2012).

decision, in accordance with the parties' joint stipulation, which held that Petitioner was entitled to an award.

On July 14, 2016, Petitioner filed an unopposed application for attorneys' fees and costs. Petitioner requests compensation for \$14,044.00 in attorneys' fees and \$1,656.40 in costs (of which Petitioner bore \$277.05). In total, Petitioner requests compensation in the amount of \$15,700.40.

In accordance with the Vaccine Act, 42 U.S.C. § 300aa-15(e) (2012), the undersigned finds that Petitioner's request for fees and costs is reasonable. **Correspondingly, the undersigned hereby awards the amount of \$15,423.35, in the form of a check made payable jointly to Petitioner and Petitioner's counsel, Scott W. Rooney, and the amount of \$277.05, in the form of a check made payable to Petitioner.** In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court shall enter judgment in accordance herewith.<sup>3</sup>

**IT IS SO ORDERED.**

/s/Lisa D. Hamilton-Fieldman

Lisa D. Hamilton-Fieldman

Special Master

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<sup>3</sup> Entry of judgment can be expedited by each party's filing of a notice renouncing the right to seek review. Vaccine Rule 11(a).